

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 1172

FINAL READING

Introduced by Dierks, 40; Dubas, 34; McDonald, 41.

Read first time January 23, 2008

Committee: Agriculture

A BILL

- 1 FOR AN ACT relating to agriculture; to adopt the Food Supply Animal
- 2 Veterinary Incentive Program Act.
- 3 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 8 of this act shall be known and
2 may be cited as the Food Supply Animal Veterinary Incentive Program
3 Act.

4 Sec. 2. For purposes of the Food Supply Animal Veterinary
5 Incentive Program Act:

6 (1) Department means the Department of Agriculture;

7 (2) Food supply animal includes cattle, hogs, sheep,
8 goats, and poultry;

9 (3) Food supply animal veterinarian means a veterinarian
10 who is engaged in general or food supply animal practice as his
11 or her primary focus of practice and who has a substantial portion
12 of his or her practice devoted to food supply animal veterinary
13 medicine;

14 (4) Program means the Food Supply Animal Veterinary
15 Incentive Program; and

16 (5) Rural mixed animal veterinary practice means practice
17 as a food supply animal veterinarian in a rural area and a
18 substantial portion of the practice involves food supply animal
19 veterinary practice.

20 Sec. 3. Each year the department shall select from a
21 pool of applicants up to four veterinarians to participate in the
22 program. The selected veterinarians are eligible to receive up
23 to eighty thousand dollars under the program as an incentive to
24 locate in rural Nebraska and practice food supply animal veterinary
25 medicine.

1 Sec. 4. (1) To be eligible for funds under the program,
2 an applicant shall:

3 (a) Be a graduate of an approved veterinary medical
4 school;

5 (b) Be licensed to practice veterinary medicine in this
6 state;

7 (c) Enter into a contract with the department to provide
8 full-time veterinary medicine services as a food supply animal
9 veterinarian in a food supply animal veterinary practice or in a
10 rural mixed animal veterinary practice for four years in one or
11 more communities approved by the department; and

12 (d) Be accredited by the United States Department of
13 Agriculture, Animal and Plant Inspection Service, Veterinary
14 Services to provide services relating to food supply animals by the
15 end of the first year of service.

16 (2) The department shall give preference for approving
17 communities for purposes of subdivision (1)(c) of this section
18 to communities located in areas designated by the department as
19 shortage areas for food supply animal veterinary medical services.
20 In designating such areas, the department may initially utilize
21 shortage areas as designated by the American Veterinary Medical
22 Association on the effective date of this act and may revise
23 designations as necessary and appropriate to achieve the purposes
24 of the program.

25 Sec. 5. (1) To the extent that funds are available,

1 program funds shall be distributed as follows:

2 (a) After completing the first year of service under the
3 contract, the veterinarian is eligible to receive up to fifteen
4 thousand dollars;

5 (b) After completing the second year of service under the
6 contract, the veterinarian is eligible to receive up to fifteen
7 thousand dollars;

8 (c) After completing the third year of service under the
9 contract, the veterinarian is eligible to receive up to twenty-five
10 thousand dollars; and

11 (d) After completing the fourth year of service under the
12 contract, the veterinarian is eligible to receive up to twenty-five
13 thousand dollars.

14 (2) If the veterinarian does not complete an entire year
15 of service or if sufficient funds are not available to provide the
16 full dollar amount of incentive in a year, the amount distributed
17 under this section for that year shall be prorated.

18 Sec. 6. (1) A veterinarian shall be released from the
19 program contract without penalty if:

20 (a) The veterinarian has completed the service
21 requirements of the contract;

22 (b) The veterinarian is unable to complete the service
23 requirements of the contract because of a permanent physical
24 disability;

25 (c) The veterinarian demonstrates extreme hardship or

1 shows other good cause justifying the release; or

2 (d) The veterinarian dies.

3 (2)(a) A veterinarian shall be released from further
4 performance of veterinary services under the program contract if
5 he or she is unable to perform his or her contractual obligations
6 to provide veterinary services due to the suspension or revocation
7 of his or her federal accreditation or denial, refusal of renewal,
8 limitation, suspension, revocation, or other disciplinary measure
9 taken against his or her license to practice in Nebraska pursuant
10 to section 71-1,163 until December 1, 2008, and section 38-3324 on
11 and after December 1, 2008.

12 (b) If a veterinarian is released from his or her
13 contract pursuant to subdivision (a) of this subsection, the
14 department may recover a portion of or all of the payments made
15 to such veterinarian under section 5 of this act. The department
16 shall remit any such funds to the State Treasurer for credit to the
17 Food Supply Animal Veterinary Incentive Fund. The department may
18 use appropriate remedies available to enforce this subdivision.

19 (3) The State of Nebraska shall be released from
20 any further obligation under the Food Supply Animal Veterinary
21 Incentive Program Act or any contract entered into with a
22 veterinarian under the act if the veterinarian is released from the
23 program pursuant to this section.

24 Sec. 7. The Food Supply Animal Veterinary Incentive Fund
25 is created. The fund may be used to carry out the purposes of

1 the Food Supply Animal Veterinary Incentive Program Act. The State
2 Treasurer shall credit to the fund any money appropriated to the
3 fund by the Legislature and any money received as gifts or grants
4 or other private or public funds received under the act. Any money
5 in the fund available for investment shall be invested by the state
6 investment officer pursuant to the Nebraska Capital Expansion Act
7 and the Nebraska State Funds Investment Act.

8 Sec. 8. The department shall adopt and promulgate rules
9 and regulations to carry out the Food Supply Animal Veterinary
10 Incentive Program Act.